

**AMENDMENTS TO THE DRAWINGS**

The attached sheet(s) of drawings includes changes to FIGS. 6 and 7.

Attachment:     Replacement sheet  
                     Annotated sheet showing changes

**REMARKS**

Claims 2-3 and 5-7 are pending in this application of which claims 2-3 have been amended and claims 5-7 are newly added. Claims 1 and 4 have been canceled.

The Examiner has objected to FIGS. 6 and 7 for failing to be designated as "Prior Art." Accordingly, replacement drawings have been submitted designating this label..

The Examiner has objected to the disclosure for not differentiating between engagers 8b and 8d.

Accordingly, the specification and claims have been amended by referring to these as first engager 8b and second engager 8d.

Claims 1-4 stand rejected under 35 U.S.C. §112, second paragraph, as indefinite.

In addition to identifying specific instances of indefiniteness, the Examiner has noted that the claims and specification were replete with grammatical and idiomatic errors and needed to be corrected. Accordingly, new claims 5 and 6 have been added to replace claims 1 and 4, which have been canceled. Claims 2 and 3 have been amended to depend from new claim 5. Thus, the 35 U.S.C. §112, second paragraph, rejection should be withdrawn. A clean copy of a substitute specification is attached hereto, along with a marked-up copy of the original specification. No new matter has been added.

Claims 1, 2 and 4 stand rejected under 35 U.S.C. §102(b) as anticipated by JP H04-34091 (hereafter "JP '091").

Applicants respectfully traverse this rejection.

JP '091 discloses a speaker mounting construction which eliminates the need for tightening a nut at the back side of the mounting plate. By using a cylindrical fixing tool having a polygonal engaging piece at one end and a screw hole at the other end

and in a sheet form bendable circumferentially between a screw hole and an engaging piece and having a plurality of clamp pieces generally L-shaped in form, the fixing tool is inserted in a insert-hole in the plate. By engaging the engaging piece with an engaging groove corresponding to the engaging piece form of the speaker main body, rotation is restricted. Further, a fixing bolt is screwed to the fixing tool, and projected circumferentially while bending a center region of the clamping piece, thereby attaching the speaker main body to the plate.

FIG. 3 of JP '091 shows that the threads of the screw engage with screw threads located in the end of the cylindrical fixing tool on the other side of the mounting plate from the speaker and speaker frame. This is in contrast to the present invention, in which the screw hole is formed in the first engager 8b, which is on the same side of the attaching plate as the speaker and speaker frame, as shown in FIG. 3 and as recited in claim 2.

FIG. 3 of the instant application shows that after the second engager 8d passes all the way through the fixed hole 4c or 40a in the attaching plate 4 or 40, the second engager 8d is elastically restored to its original shape, even when the screw is tightened down in the first engager 8b. FIG. 3 of JP '091, in contrast, shows that after the piece of the cylindrical fixing tool corresponding to second engager 8d passes through the fixed hole, it is elastically deformed as the screw is tightened so as to clamp the engaging plate to the speaker frame.

Further, in the present invention, the screw hole (8c) is formed in the first engager (8b), which is on the same side of the attaching plate (4 or 40). In contrast, the threads of the screw of JP '091 engage with screw threads located in the end of the cylindrical fixing tool on the other side of the attaching plate from the speaker and the speaker frame.

Further, the present invention has the following features which are not taught by the cited references.

- 1) The speaker can be fixed by merely inserting the engaging pieces (8h) in a fixed hole 4c or 40a) of the attaching plate (4 or 40). Thus, the speaker can be easily fixed.
- 2) The attaching plate (4 or 40) is fixedly clamped between the top end face (8k) of the engaging piece (8h) and the first engage (8b).
- 3) The fixing operation, the removal operation and the re-fixed operation are easy to perform.
- 4) The high waterproofing effect is performed by the excellent draining function of the fixture (8) and the waterproofing function of the adapter (9).

Thus, the 35 U.S.C. §102(b) rejection should be withdrawn.

Claim 3 stands rejected under 35 U.S.C. §103(a) as unpatentable over **JP '091** in view of U.S. Patent 6,457,547 to **Novitschitsch** (hereafter "**Novitschitsch**").

Applicants respectfully traverse this rejection.

**Novitschitsch** has been cited for teaching the water drain recited in claim 3 but, like **JP '091** discussed above, fails to teach, mention or suggest the features recited in newly-added claim 5, from which claim 3 has been amended to depend.

Thus, the 35 U.S.C. §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 2-3 and 5-7, as amended, are in condition for allowance, which action, at an early date, is respectfully solicited.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105.

Dated: August 7, 2008

Respectfully submitted,

By 

William L. Brooks

Registration No.: 34,129

EDWARDS ANGELL PALMER & DODGE  
LLP

1875 Eye Street, NW

Washington, DC 20006

(202) 478-7376

Attorneys/Agents For Applicant

Attachments